

## **REGULAR MEETING**

**Mayor and Council**

**Borough of Harrington Park, New Jersey**

**July 17, 2017**

### **(PAH) Call Meeting to Order**

**Time: 7pm**

#### **Mayor's Announcement:**

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD, SUBURBANITE and THE NORTHERN VALLEY PRESS. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

#### **(ALB) Roll Call:**

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	
FITZGERALD (LF)	x	
PEDERSEN (JP)		x
CHUNG (JC)	x	

#### **Also present:**

**Ms. Ann H. Bistriz, Borough Clerk (ALB)**

**Mr. John R. Dineen, Borough Attorney (JRD)**

#### **(PAH) Flag Salute**

#### **(PAH) Suspend the Regular Order of Business**

**Motion GE**

**Second AN**

**Vote AIF**

#### **(PAH) Meeting Open to Public**

**Motion GE**

**Second AN**

**Vote AIF**

PAH noted that he is always so impressed that when someone in our community is going through a difficult time, that friends and neighbors come out for support.

#### **Gary Whyte, 289 Old Tote Road, Mountainside NJ**

Has traveled the State of New Jersey to request the Borough to pass a resolution in support of research for FOP. A disease that grows a second skeleton in the body. 7 people in the state have been diagnosed with this rare disease. 505 municipalities have already passed resolutions.

PAH requested a copy of resolution to consider in August. He will also forward to the organizations that he is involved with for additional support.

**Donna Moline, 45 Donato Drive, Little Falls, NJ**

She is on the Wildlife Committee in Little Falls and came out to dispel the many myths about Lyme Disease and the relationship with the deer population. She explained in detail the means by which the disease is transmitted from the white footed field mouse. She had concerns that by creating more rules and regulations that civil liberties of people would be in question.

GE interjected to inform Ms. Moline that he and the Mayor attended a regional meeting with other municipalities to discuss the deer population in the area. The speaker was a deer biologist that discussed the current situations as well as the alternatives available to help correct the imbalance of deer in the region. All have drawbacks; however the Borough's ordinance was to only prohibit feeding deer on private property. Feeding wildlife brings more animals into a residential area. It's really support for the health and welfare of the community. Deer are capable of finding food on their own and addresses the issue that people have a responsibility to their neighbors and neighborhood. He also discussed the fact that deer consumption of artificially fertilized landscaping adds to the increase in the deer population as well.

**Megan Dippolito 202 Harriot Avenue, Harrington Park, NJ**

Disappointed that there were no members of the Board of Education in attendance at this meeting. Ms. Dippolito is concerned about the school grounds and that work is being performed on their property without advising the surrounding neighbors.

Camps are being held at the school, and much of the side property is in disrepair. Macadam is dumped, along with concrete, metal pipes, lumber and more. In addition the neighbor's fences are being damaged, and the lay of the land has been changed to add additional water run off to their neighbors on Downing Place. Also, the lighting is spilling into resident's bedrooms and living rooms. The school used to be a very good neighbor and she is hoping that they can be encouraged to communicate, and have a relationship with those that own property around them.

Ms. Dippolito attended a School Board meeting last year, and when she asked about construction in the parking lot, she was informed that nothing was planned.

PAH added that the School was present at the last Planning Board meeting. After speaking with Dr. Fried, PAH had the understanding that the school would improve communication to the residents. He has hopes that in the future this will happen. Ms. Dippolito hopes that Council will be vigilant on what the BOE will be doing in the future.

**Stuart Penny, 49 Downing Place**

In his opinion, Dr. Fried does not seem to see anything wrong with his action on the school property. There is an abundance of brush and concrete that has been piled along his fence. Much of it has been buried in the ground.

PAH will discuss this with the Building Department.

**John Brown, 61 Elliot Road**

Mr. Brown wanted Council to know that he thanks the Planning Board for their efforts to review the issues at the school.

Mr. Brown would like to know how the public can be notified about current and upcoming construction projects, and future plans.

JC will discuss further with the BOE and encouraged all to attend the BOE meetings.

Mr. Brown stated that the school tends to just bulldoze ahead without any consideration for the neighborhood.

Parking has always been a problem and will be even worse, even with the additional spaces. The 16 spaces at the Community Church are just not enough.

The money received from the Valley Program is helping pay for the work that is currently being done at the school. This was reported in public at the May BOE meeting. Mr. Brown would like the BOE to send out this information to the neighbors who are directly impacted. JC added she does her best to report what she can-she is not allowed to participate in the BOE Executive Session, only the public portion of the meeting.

Mr. Brown would like to see the complete site plan for the project. JC will try to get a copy.

**Chris Dippolito 104 Lynn Street**

Asked who the engineer for the school was and who the engineer for the Borough is. JRD stated that it is Neglia Engineering for both. They are allowed to hire the Borough Engineer independently of the municipality. Mr. Dippolito asked why then does Neglia not inform the Borough of what the BOE is doing. JRD stated that they are hired by the school and not the Borough. JRD suggested that the public can review the BOE budget and in the Capital section, all upcoming projects shall be noted.

Mr. Dippolito also asked about the tree for Andy O'Grady. JC noted that the current administration did not know about the significance of the tree. Apparently this was a project done by 2 retired teachers and involved the previous administration. The O'Grady family has been contacted and another tree will be planted in Andy's memory in a safer location. JC added that the family prefers a private dedication.

PAH confirmed that the O'Grady's have been contacted and agrees that this whole incident should not have happened in the first place.

**Eileen Sommers, Harriot Avenue**

She feels that the school takes no accountability for their actions and would like to see a planting plan. The esthetics of the school has been adversely affected.

PAH stated that at the Planning Board meeting, Dr. Fried would be working with Ms. Dippolito to plan fencing and trees in the area adjacent to her property.

Ms. Dippolito added that the suggestion of Mr. McLaughlin, Board member, she will be discussing the moving of three spaces to enable safer maneuvering in the driveway area.

However, Ms. Dippolito feels that the traffic flow will be tremendous and very congested.

**Mr. Piccinich, Downing Place**

The traffic by the school is horrible. The additional parking in the front will cause even more congestion. It takes quite a while to pull out of his street in the morning. PAH will speak to the Chief of Police to address this issue. The Borough is still waiting to hear from the County regarding the speed of traffic on Harriot Avenue.

JC shared her experience with education while growing up in South Korea. She understands how blessed we are in this area to have such personalized education. Yes, the BOE could have done better with the planning and communication of this project, but she hopes as things progress all will smooth out. She encourages all to continually attend BOE meetings and let them know your thoughts.

**Ann Brown, 61 Elliot Road**

Why did the school place the play ground all the way in the back of the school. They should have placed parking there for the teachers. There is not enough time for the little ones to walk to the playground during their lunch break. She stated she is a first grade teacher in Tenafly.

**Amy Szurly, Downing Place**

Who pays for the Special Education Teachers-JC responded Region 3  
St. Andrew's Church is available to lease extra parking –their lot is not used during the week and is as far from the school as the Community Church.

PAH apologized that he is unable to answer many of the public's questions. JC added the next BOE meeting is August 24, 2017.

**Eileen Sommers, Harriot Avenue**

Asked if the school was invited to the meeting. JC stated yes they were.

Why is Council not as troubled about this situation as the public in attendance? She added that she is frustrated about the whole situation and the disregard that the school has for the neighborhood.

PAH answered that he will work hard to improve communication between the school the neighborhood and the Borough.

JC added that if there are problems in the neighborhood, you must let the BOE know so they can be addressed. The Borough was unaware that there were these specific problems on Downing Place. We cannot help you if we are unaware.

**(PAH) Meeting Closed to the Public**

**Motion GE**

**Second JC**

**Vote AIF**

**(PAH) Return to the Regular Order of Business**

**Motion GE**

**Second AN**

**Vote AIF**

**(PAH) Approval of Minutes**

**June 12, 2017**

**Motion GE**

**Second AN**

**Vote AIF**

**June 20, 2017 (abstain LF/JP)**

**Motion GE**

**Second AN**

**Vote AIF (Abstain LF)**

**(PAH) Approval of Correspondence-Addendum AA**

**Motion AN**

**Second DW**

**Vote AIF**

**(PAH) Consent Agenda-Resolutions-**

**All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.**

**Consent Approval Items (A-F)**

**Annual Appointment of Municipal Representative(S) to Bergen County**

**Community Development Regional Committee- A**

**Professional Services Neglia Engineering for NJDOT Glen Avenue East Paving- B**

**50/50 Raffle License RA#255 –Our Lady of Victories Church -C**

**Off Premises Raffle License RA#256-Harrington Park Home & School Assoc.-D**

**Social Affairs Permit-Town Day E**

**Payment of Claims F**

**Motion GE**

**Second JC**

**Roll Call AIF**

**Individual Committee Reports**

**(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance**

**Building Department-33 Permits \$9660**

**Fire Department-19 calls, 2 drills, 1 officers meeting, 1 Interboro meeting, 1 regular meeting**

**Ambulance Corps-16 calls, 11 in HP, 5 Mutual Aid**

**(GE) Police, Municipal Court, Personnel**

**June Report:**

**520 calls for service**

**285 Traffic details**

5049 miles driven YTD 28,743  
10 accidents with 2 injuries  
68 summonses 507 YTD  
Overtime \$2003 YTD \$11,500  
O/E YTD \$24,000  
Officer Pedersen has been certified for the Alcotest

**(DW) DPW, Building & Grounds, Sanitation/Recycling**

**June report:**

Clean and set up Borough parking lot for the White Elephant Sale  
Filled potholes through the town on 6/8 and 6/22  
June 20, 2017-Mr. Kiernan attended JIF meeting at Borough Hall  
Maintenance was made on the Baseball and Softball fields  
Pondside Park walk way was re-graveled  
Tonnage Report 2016 was completed and filed with the DEP  
Recycling center 5.61 tons Curbside 63.78 tons  
Shipped to market:  
    White goods 10,420 pounds  
    Cardboard 8600 pounds  
    Plastic 2620 pounds  
    Stumps and logs 30 cubic yards

**(LF) Board of Health, Environmental Commission**

**(JP) Finance, Admin. & Exec., Grants**

**Town Day September 9, 2017 with rain date September 10.**

**(JC) Recreation Commission, Liaison to Board of Education, Public Information**

**(ALB) Borough Clerk/Administrator**

Donation of File Cabinets-Motion of Approval  
Motion to approve donation from the Bistriz family for 3 file cabinets to be removed by the DPW (condo in Norwood) and be brought to Borough Hall for use by the Building Department.  
Motion GE  
Second AN  
Vote AIF

**Old Business**

**New Business**

**Mayor's Report**

**Paving will begin in the near future-Curb to curb in all locations**

**\$55,000 has been received in grant funds for accessible sidewalks to be constructed between the Borough Hall and Library**

**A group of residents that have formed a group to energize the Borough's business district plan a Block Party by the shopping area in town will be holding a meeting on July 27<sup>th</sup> in Borough Hall.**

**PAH has accepted the position as Chairman of the Executive Board of JIF.**

**Ordinances**

(AN) (Building Department) Proposed Ordinance #710 Ordinance Amending Ordinance 700 of the Code (Chapter 131-2) of the Borough Of Harrington Park-Addendum G  
Motion AN  
Second GE

Open to Public Discussion  
Motion GE  
Second AN  
Vote AIF

Closed to Public Discussion  
Motion GE  
Second AN  
Vote AIF

Final Council Comments-NONE  
Vote AIF

(AN) (Planning Board) First Reading Proposed Ordinance #711 ORDINANCE AMENDING ACCEPTING PLANNING BOARD AMENDMENT TO THE MASTER PLAN-Addendum H  
Motion AN  
Second GE

Open to Public Discussion  
Motion GE  
Second AN  
Vote AIF

Closed to Public Discussion  
Motion GE  
Second AN  
Vote AIF

Final Council Comments-NONE

Vote AIF

(LF) (Board of Health) First Reading Proposed Ordinance #712 ORDINANCE AMENDING §291-18 entitled Feeding of Wildlife-Addendum I

Motion LF

Second DW

Vote AIF

Open to Public Discussion

Motion GE

Second AN

Vote AIF

Closed to Public Discussion

Motion GE

Second DW

Vote AIF

Final Council Comments

AN noted this does not apply to the feeding of birds with a bird feeder in your yard.

Vote AIF

**(PAH) Motion for Closed Session NONE**

**Adjournment-Time: 8:43pm**

**Motion: AN**

**Second:**

**GE Vote AIF**

**Addendum A**

**RESOLUTION 2017-105**

**A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES  
TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE**

**WHEREAS**, the Municipality of Harrington Park has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2017-2018 term starting July 1, 2017 and ending on June 30, 2018.



**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council hereby appoints Councilwoman Joon Chung as its representative and Councilwoman Laura Fitzgerald as its alternate and that the Mayor hereby appoints Council President Allan Napolitano as his representative and Councilman Jorden Pedersen as his alternate to serve on the Community Development Regional Committee for FY 2017-2018; and

**BE IT FURTHER RESOLVED** that an original copy of this resolution be forwarded to the Bergen County Division of Community Development, One Bergen County Plaza, Fourth Floor, Hackensack, New Jersey 07601 for receipt no later than Friday, August, 11, 2017.

**Addendum B**  
**RESOLUTION 2017-106**

**AGREEMENT FOR PROFESSIONAL SERVICES**

WHEREAS, Borough of Harrington Park has chosen to enter into a grant agreement in the amount of \$165,627.00 with the New Jersey Department of Transportation Municipal Aid Grant to provide roadway improvement on Glenn Avenue-East within the Borough; and

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$9855.00 representing Engineering and Surveying Costs and on a time basis (schedule in contract) not to exceed \$9610.00 representing Construction Management Services; and

WHEREAS, a material basis in accordance with (schedule in contract) for a cost not to exceed \$600.00 representing Reimbursable Expenses.

WHEREAS, the CFO shall certify that these funds have been appropriately budgeted for; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for NJDOT Municipal Aid Grant for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

**Addendum C**  
**Resolution 2017-107**

**50/50 Raffle License RA#255 –Our Lady of Victories Church**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the 50/50 Raffle Application RA # 255 for Our Lady of Victories Church, to be held on September 24, 2017 3:00 pm 81 Lynn Street, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

**Addendum D**  
**Resolution 2017-108**

**Off Premises Raffle License RA#256-Harrington Park Home & School Assoc.**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the Off Premises Raffle Application RA # 256 for the Harrington Park Home & School Association, to be held on October 13, 2017, 3pm at 191 Harriot Avenue, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

**Addendum E**  
**Resolution 2017-109**

**Social Affairs Permit-Recreation Commission Town Day**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that it has no objection to granting permission for the Harrington Park Recreation Commission to apply for a Social Permit for a Town Picnic at Highland Field in Harrington Park on September 9, 2017 (rain date September 10, 2017) from 12 Noon-4 pm to serve beer.

**BE IT FURTHER RESOLVED** that the Chief of Police has no objections to the filing of said application, and the Borough Clerk has certified that not more than 25 Social Permits have been authorized for these premises during this calendar year.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Borough Clerk be authorized to sign said application and forward same to the Department of Law & Safety, Division of Alcoholic Beverage Control, Trenton, with a check for \$100.00.

**Addendum F**  
**Resolution 2017-110**  
**Payment of Claims**

**WHEREAS**, claims have been submitted to the Borough of Harrington Park in the following amounts under various funds of the town:

Current Appropriations (2016)	\$ 9,700.00
Current Appropriations (2017)	\$ 202,886.31
General Capital Fund	\$ 290.00
Animal Trust	\$ 49.80
Miscellaneous Trust	\$ 19,971.17
Affordable Housing Trust	\$ 0.00
Open Space Trust Fund	\$ 0.00
Grants	\$ 3,356.37
<b>Total</b>	<b>\$ 236,253.65</b>

**WHEREAS**, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

**WHEREAS**, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Harrington Park and that the claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

**WHEREAS**, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages	06/23/2017	\$ 139,769.12
Payroll- Salaries/Wages	07/07/2017	\$ 120,635.11
Payroll- Salaries/Wages		
Payroll- Salaries/Wages		
Pensions		
Health Benefits April, May, June 2017		
Local School April 2017		
Regional School April 2017		
Debt Services		

**TOTAL** **\$ 260,404.23**

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$496,657.88** be approved and ratified respectively.

#### **Addendum G**

#### **Proposed Ordinance #710**

Ordinance Amending Ordinance 700 of the Code (Chapter 131-2) of the Borough Of Harrington Park

WHEREAS, the Mayor and Council of the Borough of Harrington Park have determined that it is in the best interest of the Borough of Harrington Park to amend the Harrington Park

Code Chapter 131-2, and provide for Mechanical Inspection Fees, for the health and safety and welfare of its citizenry;

NOW THEREFORE BE IT ORDAINED that Ordinance 700 -Chapter 131-2, Fees is hereby amended as follows:

Mechanical Sub Code Fees: (per appliance)

A. R3/R4/R5 structures/use group

1. Water heater	\$75.00
2. Steam boiler	\$100.00
3. Hot water boiler	\$100.00
4. Hot air furnace	\$100.00
5. Oil tank	\$75.00
6. LPG	\$75.00
7. Gas fireplace/log	\$75.00
8. Hydroponic piping	\$75.00
9. Generator	\$150.00
10. A/C unit	\$100.00
11. HVAC	\$150.00
12. Chimney liner (1 or 2 family)	\$100.00
13. Fuel oil piping	\$50.00
14. Gas piping connection	\$50.00
15. Pool heater	\$150.00
Minimum fee:	\$80.00

B. Minimum fee mixed use

/commercial \$100.00

C. Mechanical work on other than a R3/R4/R5 structure/use group shall be calculated at the rate of \$25.00 per \$1000.00 of estimated cost.

Non-repealer. All other sections of the revised Borough ordinance not specifically amended by the provisions of this ordinance shall remain in full force and effect.

Severability. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

Repealer. All ordinance or parts of ordinance inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

Effective date. This ordinance shall take effect immediately upon final passage and publication as required by law.

**Addendum H**

**Proposed Ordinance 711**

**ORDINANCE AMENDING ACCEPTING PLANNING BOARD AMENDMENT TO THE  
MASTER PLAN**

Whereas the Mayor and Council has determined it is in the best interest of the Borough of Harrington Park to amend certain sections of the Harrington Park Master Plan to stay consistent with the uses and development of property within the Borough of Harrington Park;

Whereas, the Planning Board of the Borough of Harrington Park has submitted and adopted a Master Plan amendment dealing with development and redevelopment in the I-1 Zoning District;

Whereas, the Mayor and Council of the Borough of Harrington Park have reviewed the Master Plan amendment, finding the same is consistent with sound planning, will assist in the protection of natural resources and qualities of the same, will be consistent with other municipal objectives including providing affordable housing, and with the purposes of zoning as detailed in the municipal land use Law, NJSA 40:50 5D-1 et seq.

NOW THEREFORE BE IT ORDAINED that the amendment to the Master Plan dealing with the I-1 Zoning District is hereby adopted, ratified and confirmed by the Mayor & Council.

**Addendum I**

**Proposed Ordinance #712**

**ORDINANCE AMENDING §291-18 entitled "FEEDING OF WILDLIFE"**

Whereas the Mayor and Council has determined it is in the best interest of the Borough of Harrington Park to amend certain sections of the Harrington Park code for the health, welfare and safety of its residents with respect to §291-18 through §291-22;

Whereas, the Board of Health has determined that the feeding of “wildlife” by any person/entity poses a real health and safety risk to the public at large;

Whereas, §291-18 provides for an prohibits the feeding of any “wildlife” at or on any Borough owned property;

Whereas, the Board of Health has determined that the feeding of wildlife on any property, private or public with in the borough poses a health risk;

Whereas, the Mayor and Council agree that the feeding of Wildlife within the Borough Is a Health and Safety Issue;

NOW THEREFORE BE IT ORDAINED that §291-818 “Feeding of Wildlife” is hereby amended to include the feeding of unconfined wildlife on any property within the Borough of Harrington Park, private or public and such activity shall be subject to the same enforcement as otherwise provided in §291-21, by way of example and not by limitation, includes the feeding of “deer”, “geese”, rodents, “swans”, “or birds” but shall not apply with respect to private property the feeding of birds by way of a “bird feeder”.

## **AA Correspondence**

Correspondence

6/21/2017

PSEG update for road work schedules for future.

6/22/2017

Hazardous Waste from PSEG construction (Harriot / West Shore)

6/26/2017

NJ – Department of Transportation –Harrington Park was not selected for Safe Routes to School funding  
Neglia –copies of letters sent to PSE&G and Orange and Rockland Utilities regarding request for 2016-2018 roadway projects in HP

Dodge Durango 2004 –Passenger Air Bag Recall

Neglia – Agreement for professional services for Glen Avenue East

6/29/2017

New Jersey Transit 2017 request for federal financial assistance

7/5/2017

Recycling Update July 20171

Riverside Coop Meeting Minutes-June 21, 2017

NJ Transit Federal Program Pubic Hearing

Public Notice-Planning Board Allegro Development.

COI Verizon

Road Opening Permit for 108 and 134 LaRoche-PSEG

7/10/2017

Foreclosure Notice 91 Martin Drive

7/11/2017

Haz Waste West Shore/Harriot-PSEG

7/14/20

Foreclosure Notification for 48 Flint Terrace

COI-ALR Construction Services